



# TERR $\oplus$ RISM

in the United States

## 1998

Counterterrorism Threat Assessment and Warning Unit  
National Security Division

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In accordance with U.S. counterterrorism policy, the FBI considers terrorists to be criminals. The FBI investigates terrorists in the United States under the following guidelines:

- Domestic terrorism investigations are conducted in accordance with the *Attorney General's Guidelines on General Crimes, Racketeering Enterprise, and Domestic Security/Terrorism Investigations*. These guidelines set forth the predication threshold and limits for investigations of U.S. persons who reside in the United States, who are not acting on behalf of a foreign power, and who may be conducting criminal activities in support of terrorist objectives.

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## FBI POLICY AND GUIDELINES

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- International terrorism investigations are conducted in accordance with the *Attorney General Guidelines for FBI Foreign Intelligence Collection and Foreign Counterintelligence Investigations*. These guidelines set forth the predication level and limits for investigating U.S. persons or foreign nationals in the United States who are targeting national security interests on behalf of a foreign power.

Although various Executive Orders, Presidential Decision Directives, and congressional statutes address the issue of terrorism, there is no single federal law specifically making terrorism a crime. Terrorists are arrested and convicted under existing criminal statutes. All suspected terrorists placed under arrest are provided access to legal counsel and normal judicial procedure, including Fifth Amendment guarantees.

## DEFINITIONS

There is no single, universally accepted, definition of terrorism. Terrorism is defined in the *Code of Federal Regulations* as "...the unlawful use of force and violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives." (28 C.F.R. Section 0.85)

The FBI further describes terrorism as either domestic or international, depending on the origin, base, and objectives of the terrorist organization. For the purpose of this report, the FBI will use the following definitions:

- Domestic terrorism is the unlawful use, or threatened use, of force or violence by a group or individual based and operating entirely within the United States or Puerto Rico without foreign direction committed against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof in furtherance of political or social objectives
- International terrorism involves violent acts or acts dangerous to human life that are a violation of the criminal laws of the United States or any state, or that would be a criminal violation if committed within the jurisdiction of the United States or any state. These acts appear to be intended to intimidate or coerce a civilian population, influence the policy of a government by intimidation or coercion, or affect the conduct of a government by assassination or kidnapping. International terrorist acts occur outside the United States, or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to coerce or intimidate, or the locale in which their perpetrators operate or seek asylum.

### **THE FBI DIVIDES TERRORIST-RELATED ACTIVITY INTO THREE CATEGORIES:**

- A terrorist *incident* is a violent act or an act dangerous to human life, in violation of the criminal laws of the United States, or of any state, to intimidate or coerce a government, the civilian population, or any segment thereof.
- A *suspected terrorist incident* is a potential act of terrorism to which responsibility cannot be attributed at the time to a known or suspected terrorist group or individual.
- A terrorism *prevention* is a documented instance in which a violent act by a known or suspected terrorist group or individual with the means and a proven propensity for violence is successfully interdicted through investigative activity.

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## NOTE

*The FBI investigates terrorism-related matters without regard to race, religion, national origin, or gender. Reference to individual members of any political, ethnic, or religious group in this report is not meant to imply that all members of that group are terrorists. Terrorists represent a small criminal minority in any larger social context.*

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Cover: Arson fire at the Vail Mountain ski resort, Vail, Colorado, October 19, 1998. Photograph courtesy of Mark Mobley, Vail Fire Department.©

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The year 1998 demonstrated the wide range of terrorist threats confronting the United States. Terrorists in Colombia continued to target private American interests, kidnapping seven U.S. citizens throughout the year and carrying out 77 bombings against multinational oil pipelines, many of which are used by U.S. oil companies. On August 7, 1998, the U.S. embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, were attacked in nearly simultaneous truck bombings that left 224 persons dead, including 12 U.S. citizens (all victims of the Nairobi attack). The bombings also wounded over 4,500 persons.

In the United States, the FBI recorded five terrorist incidents in 1998. Within the same year, 12 planned acts of terrorism were prevented in the United States. There were no *suspected* incidents of terrorism in the United States during 1998.

Three of the terrorist incidents recorded in the United States occurred on the U.S. Commonwealth of Puerto Rico. None of the three attacks--the bombing of a superaqueduct project in Arecibo and separate pipe bombings at bank offices in Rio Piedras and Santa Isabel--caused any deaths. By contrast, the bombing of a women's clinic in Birmingham, Alabama, left an off-duty police officer dead and a clinic nurse seriously wounded. (Eric Robert Rudolph was later charged in this

attack--as well as three previous bombings in Atlanta, Georgia.) The fifth incident, a large-scale arson at a ski resort in Vail, Colorado, caused an estimated 12 million dollars in damage, but resulted in no deaths or injuries. All of the terrorist incidents recorded in the United States during 1998 were attributed to domestic terrorists; there were no acts of international terrorism carried out in the United States in 1998.

Likewise, the 12 acts of terrorism prevented in the United States during the year were being planned by domestic extremists. Nine of these planned acts were prevented as a result of the arrest of several members of the white supremacist group The New Order, based in Illinois. The six men, who were arrested on

weapons violations charges in February 1998, planned to conduct a crime spree that was to include bombings, assassinations, and robberies. Consistent with a steady increase in cases involving the use or threatened use of chemical and biological agents, two additional terrorist preventions involved the planned use of biological toxins. The final prevention involved a plan to detonate a bomb at an unspecified target in Washington, D.C.

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# TERRORISM IN THE UNITED STATES 1998

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The United States continued to pursue an aggressive policy toward terrorism in 1998. In January, international terrorist Ramzi Ahmed Yousef received a lengthy prison sentence for masterminding the February 26, 1993 World Trade Center bombing, as well as a foiled plot to bomb U.S. commercial aircraft transiting the Far East in 1995. A Yousef accomplice in the World Trade Center bombing was also sentenced in 1998. Eyad Mahmoud Ismail Najim, who drove the bomb-laden van into the parking garage of the World Trade Center, was sentenced to 240 years in prison and ordered to pay 10 million dollars in restitution and a 250-thousand dollar fine. An associate of the plotters, Mohammad Abouhalima, who drove his brother (Mahmud) to Kennedy International Airport after the 1993 World Trade Center bombing, was sentenced to eight years in prison. In addition, Ibrahim Ahmad Suleiman received a 10-month sentence for providing false statements to the grand jury investigating the bombing. In May, Abdul Hakim Murad, an accomplice in Ramzi Yousef's plot to bomb U.S. airliners, was sentenced to life plus 60 years in prison, without parole. In June, international terrorist Mohammed Rashid was rendered to the United States from overseas to stand trial on charges related to the detonation of a bomb on Pan Am flight 830 in 1982, which killed one passenger and wounded 15 others.

In addition, a number of domestic terrorists and extremists were convicted and/or sentenced for their illicit activities throughout the year. These included Terry Lynn Nichols, who was sentenced to life in prison for his role in the Oklahoma City bombing, and 21 individuals convicted of charges related to the 1996 Montana Freeman siege.

In the immediate aftermath of the August 7 U.S. embassy bombings in East Africa, the FBI launched the largest extraterritorial investigation in its history. Two subjects, Mohammed Sadeek Odeh and Mohammed Rashed Daoud al-Owhali, were arrested in Kenya within 20 days of the bombings and, shortly thereafter, were rendered to the United States. Information obtained from these subjects, as well as information collected through other investigative leads, quickly focused investigative attention on terrorist financier Usama Bin Laden and his terrorist

network *Al-Qaeda* (the base), as allegedly being behind the embassy bombings. On November 4, 1998, Bin Laden and several members of his network, including his military commander Muhammad Atef, as well as Odeh and al-Owhali, were named in an indictment unsealed in the Southern District of New York. Another subject, Mamdouh Mahmud Salim, who had been arrested in Germany in September 1998, was extradited to the United States on December 20. In addition, Wadih El-Hage, a naturalized American citizen who was living in Arlington, Texas, at the time of the bombings, was arrested by the FBI for making false statements during questioning. El-Hage is believed to be a key member of the *Al-Qaeda* network.

At year's end, four suspects (Odeh, al-Owhali, Salim, and El-Hage) were in custody in the Southern District of New York, awaiting trial for their roles in the embassy bombings. The FBI continues to work with other agencies in the U.S. Intelligence Community and foreign governments to identify and apprehend additional subjects involved in the bombing plot.

This edition of *Terrorism in the United States* chronicles significant terrorism-related events occurring within the United States during 1998. It also includes articles on issues relating to the terrorist threat facing the United States. These articles focus on the threat posed to the security of the United States by weapons of mass destruction, FBI efforts to bring to justice subjects who perpetrate crimes against U.S. interests overseas, protection of our nation's critical infrastructure, and steps being taken to safeguard U.S. military facilities and personnel.

In addition, this report provides statistical data relating to terrorism in the United States during the 1990s. (This data focuses only on activity taking place in the United States and Puerto Rico, and therefore, does not include figures related to the U.S. embassy bombings in East Africa or other international incidents involving U.S. targets.)

The FBI recorded 5 terrorist incidents and 12 terrorist preventions in the United States during 1998. (The FBI classified no acts as suspected terrorist incidents in the United States in 1998.) In addition, the United States apprehended and prosecuted a number of terrorists. This section of *Terrorism in the United States* summarizes each of these terrorism related events. FBI designation of each case as being either domestic or international is noted in parentheses. (Please see classification definitions for domestic and international terrorism on pages i-ii.)

# 1998 IN REVIEW

## TERRORIST INCIDENTS

**JANUARY 29, 1998**

**Bombing:**

Birmingham, Alabama

(One act of Domestic Terrorism)

At approximately 7:30 on the morning of January 29, 1998, an explosion occurred outside the New Woman All Women Health Care Clinic in Birmingham, Alabama. The explosion killed a Birmingham police officer who worked part-time providing security at the clinic and severely injured a clinic employee. Immediately following the explosion, a witness observed a man walking quickly away from the site, and then getting into a grey Nissan pickup truck with North Carolina licence plates. Subsequent investigation indicated that the truck was registered to a resident of North Carolina named Eric Robert Rudolph.

The day after the bombing, the U.S. District Court for the Northern District of Alabama issued a material witness warrant for Rudolph. On February 14, 1998, the court issued an arrest warrant for Rudolph, charging him with maliciously damaging, by means of an explosive device, a building affecting interstate commerce in which a death resulted. The search for Rudolph centered in western North Carolina, near the small town of Andrews, where Rudolph had been observed the day after the bombing. On May 5, 1998, the FBI placed Rudolph on the Top Ten Most Wanted Fugitives list, and a reward of up to one million dollars was offered for information leading to his arrest.

In letters to the media, the "Army of God" claimed responsibility for the Birmingham bombing. The Army of God also claimed responsibility for the January 16, 1997 bombing of an abortion clinic in Atlanta, Georgia, and the February 21, 1997 bombing of an alternative lifestyle nightclub also in Atlanta. On October 14, 1998, Rudolph was charged in these bombings as well as the July 27, 1996 bombing of Centennial Park during the Summer Olympics in Atlanta.





**MARCH 31, 1998**

**Bombing:**

Arecibo, Puerto Rico

*(One act of Domestic Terrorism)*

On March 31, 1998, an incendiary device exploded at a supraqueduct construction project in Arecibo, Puerto Rico. The explosion caused significant damage to the project but caused no injuries. In a communique issued April 3, *Ejercito Popular Boricua-Macheteros* (Popular Puerto Rican Army--more commonly known as *Los Macheteros*), an extremist Puerto Rican separatist group, claimed responsibility for the incident and stated that the bombing signaled the beginning of a series of attacks in defense of Puerto Rico and its natural resources from the Government of Puerto Rico.



used was similar to the pipe bomb used in a bombing at the Rio Piedras branch of the *Banco Popular* on June 9, 1998, which had been claimed by the violent Puerto Rican separatist group *Los Macheteros*. These similarities, as well as similarities in targeting, led the FBI to tie *Los Macheteros* to the June 25 bombing. By year's end, investigations into the bombings at the supraqueduct project and the two branch offices of the *Banco Popular* were ongoing.

**JUNE 9, 1998**

**Bombing:**

Rio Piedras, Puerto Rico

*(One act of Domestic Terrorism)*

On June 9, 1998, a pipe bomb exploded outside a branch office of *Banco Popular* in Rio Piedras, Puerto Rico. The explosion caused minimal property damage and caused no injuries. The Puerto Rican separatist group *Los Macheteros* issued a communique claiming responsibility for the bombing, stating that the attack was to serve as a warning against the impending sale of the Puerto Rican Telephone Company to an American multinational firm. The communique specifically mentioned *Banco Popular* as one of the parties involved in the sale of the national telephone company.

**JUNE 25, 1998**

**Bombing:**

Santa Isabel, Puerto Rico

*(One act of Domestic Terrorism)*

On June 25, 1998, an explosion occurred outside a branch office of the *Banco Popular* in Santa Isabel, Puerto Rico, injuring a police officer. Although no official claim of responsibility was issued in connection to the bombing, the explosive device

**OCTOBER 19, 1998**

**ARSON FIRES:**

Vail, Colorado

*(One act of Domestic Terrorism)*

In the early morning hours of October 19, 1998, multiple fires were set at eight structures located on Vail Mountain, a large ski resort in the Rocky Mountains. The fires resulted in 12 million dollars in damage, but caused no injuries.

Five days before the fires, the District Court of Colorado had dismissed a lawsuit filed against the owners of the ski resort, ending a protracted seven-year legal battle initiated by several environmental groups in an attempt to stop the planned expansion of the facility. Upon the court's ruling, October 19, 1998 was announced as the proposed start date for land-clearing and construction related to the expansion project.

Shortly after the fires, individuals associated with the Earth Liberation Front, an extremist environmental movement, sent an electronic mail (e-mail) message to local universities, newspapers, and public radio stations claiming responsibility for the fires. The message also warned skiers to "...choose other destinations" until the resort discontinued its expansion efforts.

A joint investigation by the FBI, the Bureau of Alcohol, Tobacco and Firearms, the Eagle County Sheriff's Office, and the Vail Police Department was launched immediately after the fires. Investigators quickly determined that an accelerant was used in the blazes. The investigation was ongoing at year's end.



• SKI LIFT

## PREVENTIONS



● RALPH P. BOCK

**FEBRUARY 23-26, 1998**

### **Planned Attacks Against Multiple Targets**

Montgomery, Alabama  
St. Louis, Missouri  
East St. Louis, Illinois  
Los Angeles, California  
Centralia, Illinois  
New York, New York

*(Prevention of nine acts of Domestic Terrorism)*



● DANIEL RICK

Between February 23 and 26, 1998, several members of the white supremacist group The New Order (TNO) were arrested without incident in Illinois and Michigan and charged with weapons violations. Subsequent searches of their residences revealed explosive powder, bomb-making materials, firearms, hand grenades, and a pipe bomb.

Dennis McGiffen, Glenn Lavelle Lowtharp, Wallace Weicherding, Ralph P. Bock, Karl C. Schave, and Daniel Rick molded TNO after an earlier white supremacist group, The Order, which had been formed in the early 1980s by Robert J. Mathews (deceased). Like its predecessor, TNO denounced Jews, blacks, and other "non-white" races, and planned to commit violent criminal acts to support the group's white supremacist and antigovernment agenda.

As the investigation unfolded, the extent of the group's violent intentions became clear. Between May 1997 and the time of their arrest in February 1998, members of TNO actively planned to rob an armored car in St. Louis, Missouri; kill the founder of the Southern Poverty Law Center (SPLC), either by firing a Light Anti-Tank Weapon rocket at the SPLC office in Montgomery, Alabama, or attacking him (and another individual associated with the SPLC) at various locations; poison the water supply in East St. Louis, Illinois, as a diversionary attack to divert law enforcement resources from a bank robbery they planned to commit elsewhere in the state; rob and kill a wealthy homosexual; kill an individual in California who had criticized another white supremacist group, the Aryan Nations; bomb the Simon Weisenthal Center in Los Angeles; kill an African American radio talk show host (leading, they believed, to a race riot); kill a TNO member whom they believed was planning to leave the group; and attack the New York office of *B'nai B'rith*, a Jewish social service organization.

Trials of the TNO members were scheduled to begin in 1999.



● DENNIS MCGIFFEN



● KARL C. SCHAVE



● GLENN L. LOWTHARP



● WALLACE WEICHERDING

**APRIL 8, 1998**

## Threatened Chemical Attack

River Edge, New Jersey

*(Prevention of one act of Domestic Terrorism)*

During a 20-year period, a physicist named Lawrence A. Maltz made repeated implied threats involving biological, chemical, and nuclear devices. Maltz, who suffers from manic depression, sent letters threatening such attacks to the Director of the FBI, the U.S. Department of State, the Internal Revenue Service, members of Congress, and the President.

Based on the increasing specificity contained in these threats, the FBI's Newark (New Jersey) Field Office intensified its investigation of Maltz, who lived in Paramus. The investigation revealed that Maltz had conducted extensive research into the production of nerve agents such as sarin, and also indicated a growing proclivity to commit an act of

violence. The FBI had Maltz's formulas analyzed, and it was concluded that they were viable for producing nerve agents. The investigation also determined that Maltz had contacted chemical companies regarding the purchase of chemical precursors, which, when properly combined with other agents, produce a nerve agent similar to sarin.

During the investigation, Maltz's job required that he temporarily relocate to Richmond, Virginia. On April 8, 1998, Special Agents from the FBI's Richmond Field Office, with the assistance of personnel from the Newark Office, arrested Maltz on a warrant for violation of Title 18 of the United States Code (USC) Section 2332a (Threat to Use a Weapon of Mass Destruction). Upon arrest, Maltz agreed to be questioned; it was subsequently determined that he should be sent for psychiatric evaluation.

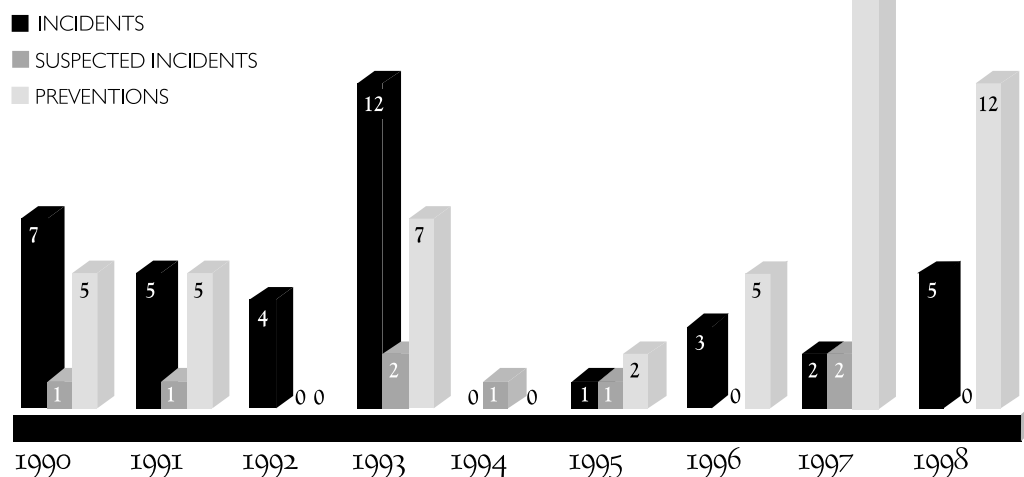
In September, Maltz pled guilty to a lesser charge--violating 18 USC 875 (Mailing Threatening Communications). On October 10, 1998, a U.S. district judge sentenced Maltz to 16 months federal incarceration, followed by 3 years supervised release, and ordered him to pay a \$3,000 fine--the maximum sentence allowed under federal sentencing guidelines.

# TERRORISM

in the

# UNITED STATES

## 1990-1998



**JULY 1, 1998**

**Planned Biological Attack on Government Official(s)**

McAllen, Texas

*(Prevention of one act of Domestic Terrorism)*

On July 1, 1998, three alleged members of the violent secessionist group the Republic of Texas (ROT) were arrested by FBI Special Agents from the McAllen (Texas) Resident Agency. They were assisted by personnel from the U.S. Secret Service, the Internal Revenue Service, the Texas Department of Public Safety, the McAllen Police Department, and the Cameron County Sheriff's Department. Johnie Wise, Jack Abbott Grebe, Jr., and Oliver Dean Emigh were arrested based upon a sealed criminal complaint, charging them with a violation of 18 USC 2332a (Threat to Use Weapons of Mass Destruction).

The three men had planned to construct a device to infect selected government officials with toxins. In June 1998, FBI Special Agents from the McAllen Resident Agency learned that the subjects had purchased materials for construction of the device and that they claimed to have access to blood tainted with the AIDS virus and rabies. The subjects also claimed that they could obtain the biological agent *anthrax* from a foreign country. In late June, the FBI received information indicating that the subjects were targeting a local law court judge for attack with the device, precipitating their arrest on July 1.

The trial of the three men began on October 19, 1998. On October 29, the jury found Johnie Wise and Jack Abbott Grebe, Jr., guilty of two counts of threatening to use a weapon of mass destruction against federal agents and their families. The jury acquitted Oliver Dean Emigh of all counts because it was unclear if Emigh had knowledge of the plot to assassinate the judge or if he was aware of the other e-mailed threats until after they were sent. Wise and Grebe were scheduled to be sentenced in early 1999.

**AUGUST 26, 1998**

**Threat to Bomb Unspecified Target**

Washington, DC

*(Prevention of one act of Domestic Terrorism)*

In July 1998, Byron Bazarte approached a technical school student regarding an effort to construct an explosive device. Bazarte, who has a college background in electronics, expressed strong antigovernment sentiments, and he stated the device would be used against an unspecified target in Washington, D.C.

The FBI's Philadelphia Field Office initiated an investigation based on information provided by the student who had been approached by Bazarte. On August 26, FBI Special Agents executed a warrant to search for bomb-making components and instructional material at Bazarte's residence. They found a circuit board with a timing circuit and schematics and diagrams used to build the timing circuit, as well as various other electronic components that could be used to construct an electronic timing or triggering device.

During the search, Bazarte gave a signed sworn statement detailing his plans to build a bomb and provided the Special Agents with the names of potential targets. Bazarte was subsequently arrested on the same date.

On October 10, 1998, Bazarte pled guilty to one count of solicitation of another to use an explosive device to damage or destroy a building owned by the United States, in violation of 18 USC Section 373. Bazarte's sentencing was scheduled for spring 1999.

# SIGNIFICANT EVENTS

## **JANUARY 8, 1998**

### **Sentencing of Ramzi Ahmed Yousef and Unsealing of Indictment Naming Khalid Shaikh Mohammed in Airliners Plot**

On January 8, 1998, Ramzi Ahmed Yousef--the mastermind of the 1993 bombing of the World Trade Center--was sentenced to 240 years in prison and ordered to pay a 4.5-million-dollar fine, as well as 250 thousand dollars in restitution for his role in the attack. Yousef was simultaneously sentenced to life plus 60 years in prison for his role in a plot to bomb U.S. commercial airliners transiting the Far East. The sentences are to run consecutively.

Also on January 8, an indictment charging Khalid Shaikh Mohammed with involvement in Yousef's plot to bomb U.S. airliners was unsealed in the Southern District of New York. By year's end Shaikh Mohammed remained a fugitive.

## **JANUARY-MAY 1998**

### **Sentencing of Colorado First Light Infantry Members**

On May 2, 1997, Kevin Terry, Ronald David Cole, and Wallace Stanley Kennett--members of the Colorado First Light Infantry militia--were arrested in Aurora, Colorado, for possession of numerous illegal weapons. A subsequent search of their shared residence revealed mortars, pipe bombs, ammunition, automatic weapons, grenades, and various explosive devices, as well as general plans for the disruption of the federal government through bombings and other violent acts.

Ronald Cole, the group's self-declared commander, entered into a plea agreement and on March 26, 1998, was sentenced to 27 months in federal prison on four counts of illegal machine gun possession. Several days earlier, Kevin Terry had also accepted a plea bargain and was sentenced to one year and one day in prison on a single machine gun violation. Terry was released two days later, after being given credit for time served in custody and good behavior. He was also ordered to serve three years' supervised release. On February 10, Wallace Stanley Kennett pled guilty to a single count of ille-

gal possession of a machine gun. In exchange for the guilty plea, prosecutors dropped eight other counts in the indictment against Kennett. On May 1, Kennett was sentenced to serve 18 months in federal prison. U.S. District Judge Daniel Sparr, who presided over the three trials, also ordered Kennett to serve three years' supervised release and perform 100 hours of community service once freed. The three men are believed to be the only members of the Colorado First Light Infantry.

## **FEBRUARY-OCTOBER 1998**

### **Eric Rudolph Indicted and Placed on FBI's Top Ten List**

On February 14, 1998, Eric Robert Rudolph was charged in the January 1998 bombing of the New Woman All Women Health Clinic in Birmingham, Alabama, which left one person dead and one seriously injured. On May 5, 1998, Rudolph became the 454th person placed on the FBI's Top Ten Most Wanted Fugitives list. On October 14, Rudolph was named in another indictment for three earlier bombings that had occurred in Atlanta, Georgia (the bombing of Centennial Park during the 1996 Summer Olympic Games and the bombings of an alternative lifestyle bar and abortion clinic in 1997). By year's end, a multi-agency manhunt for Rudolph was focused in the remote hills of western North Carolina.



● NEW WOMAN ALL WOMEN HEALTH CLINIC

## **FEBRUARY 20, 1998**

### **Sentencing of Alleged Japanese Red Army Member**

On February 20, 1998, Tsutomu Shirosaki, an alleged member of the Japanese Red Army, was sentenced to 30 years in federal prison for a May 14, 1986 rocket attack on the U.S. Embassy compound in Jakarta, Indonesia. No one was injured in the attack. Shirosaki evaded capture for more than 10 years but was eventually apprehended and rendered to the United States in September 1996. On November 14, 1997, he was convicted on all counts related to the Embassy attack.

## **FEBRUARY 26, 1998**

### **National Infrastructure Protection Center Established**

The FBI established the National Infrastructure Protection Center (NIPC) at FBI headquarters on February 26, 1998. The NIPC integrates personnel from U.S. Government agencies with personnel from state and local public safety agencies and representatives from the private sector to prevent, deter, respond to, and investigate attacks on the nation's critical infrastructure.

## **MARCH-NOVEMBER 1998**

### **Montana Freeman Trials**

On June 13, 1996, a group of antigovernment Freemen surrendered to federal authorities after an 81-day stand-off. The siege was precipitated by the arrest of three leaders of the movement, LeRoy Schweitzer, Daniel Peterson, Jr., and Lavon Hanson by the FBI on March 25, 1996. On July 3, 1997, Lavon Hanson pled guilty to federal charges of bank fraud. On August 4, 1997, two other individuals involved in the stand-off, Casey Clark and Stewart Waterhouse, also entered guilty pleas to federal charges.

Due to the large number of remaining defendants scheduled to be tried on Freeman-related charges, the U.S. District Court in Billings, Montana, decided to try groups of defendants in separate trials.

The first trial began on March 16, 1998, and concluded on May 12. Of the seven defendants tried during the first trial, one (Dana Dudley) pled guilty, another (Edwin Clark) was acquitted of charges, and five (Steven Hance, John Hance, James Hance, Jon Nelson, and Elwin Ward) were found guilty of various charges.

The second trial began on May 26, 1998. The following day, Ebert Stanton and Emmett Clark entered guilty pleas. Russell Landers was found guilty, while Cornelius Veldhuizen and Ralph Clark were found not guilty of the charges brought against them. Because the second trial resulted in partial convictions, the presiding judge granted a mistrial on 63 unresolved counts of the 126 total charges against the remaining defendants and scheduled a new trial.

The third trial began on October 26, 1998. On November 18, nine defendants--LeRoy Schweitzer, Daniel Peterson, Jr., Cherlyn Peterson, Rodney Skurdal, Dale Jacobi, John McGuire, William Stanton, Agnes Stanton, and Richard Clark--were found guilty of various charges. (In addition, the convictions of Ebert Stanton, Emmett Clark, and Russell Landers were re-affirmed).

Of the 24 defendants ultimately indicted on Freeman-related charges, 21 were found guilty of various crimes, ranging from bank fraud to interstate transportation of stolen property. Sentencing for most of the convicted Montana Freemen, including the group's leader, LeRoy Schweitzer, was scheduled for early 1999.

## **APRIL 3, 1998**

### **Sentencing of Eyad Mahmoud Ismail Najim**

On April 3, 1998, Eyad Mahmoud Ismail Najim, a key figure in the February 26, 1993 World Trade Center bombing, was sentenced to 240 years in prison with no chance of parole. He also was ordered to pay 10 million dollars in restitution and a 250-thousand-dollar fine. Najim was found guilty of driving the explosive-laden van into the World Trade Center.

**APRIL 13, 1998**

**Sentencing of Terrell P. "Terry" Coon**

On April 13, 1998, Terrell P. "Terry" Coon was sentenced to four years and three months in federal prison for his role in a plot to bomb an FBI fingerprint complex in Clarksburg, West Virginia. Federal Judge Frederick P. Stamp of the Northern District of West Virginia also ordered Coon to serve three years supervised release after his prison term and to pay a 10,000-dollar fine.

Coon was one of five people convicted for plotting to blow up the FBI's Clarksburg fingerprint facility in 1996. In October 1997, he was convicted of three counts of illegally transporting explosives across state lines, as well as two firearms violations.

**MAY 15, 1998**

**Sentencing of Abdel Hakim Murad**

On December 12, 1994, Ramzi Yousef--mastermind of the February 1993 World Trade Center bombing--placed a small explosive on Philippine Airlines Flight 434 en route from the Philippines to Tokyo, Japan. After Yousef departed the plane on a layover stop, the device exploded as the plane approached Japan. The blast killed a Japanese businessman but failed to down the aircraft.

Investigators later discovered that the explosion onboard flight 434 was part of a much broader conspiracy against the United States. Yousef and three co-conspirators were testing a new bomb design for a plot to down several U.S. commercial aircraft transiting the Far East over a two-day period in 1995. On January 6, 1995, Yousef, Abdel Hakim Murad, and Wali Khan were mixing chemicals in a Manila (Philippines) apartment when a fire broke out. Responding police units arrested Murad at the scene when they found the explosives-making materials. Wali Khan was arrested days later, but Yousef successfully fled the Philippines and ultimately found his way to Pakistan. He was subsequently apprehended in Pakistan and rendered to the United States in February 1995.

On September 5, 1996, a jury in New York convicted Ramzi Yousef, Abdel Hakim Murad, and Wali Khan for conspiring to bomb U.S. commercial aircraft. On January 8, 1998, Yousef was sentenced for his roles in both the World Trade Center bomb-

ing and the plot to bomb the U.S. airliners. (Also on that date, an indictment for Khalid Shaikh Mohammed, the fourth named subject in the airliners plot, was unsealed in the Southern District of New York.) On May 15, 1998, a federal District Court in New York sentenced Abdel Hakim Murad to life in prison without parole, plus 60 years, for his role in the aircraft bombing conspiracy, as well as the death of the Japanese passenger killed on flight 434. The judge also fined Murad 250,000 dollars.

By year's end, Wali Khan was awaiting sentencing, and Khalid Shaikh Mohammed remained a fugitive.

**JUNE 3, 1998**

**Rendition of Mohammed Rashid to the United States**

On June 3, 1998, international terrorist Mohammed Rashid was taken into U.S. custody overseas and rendered to the United States to stand trial on charges related to the bombing of Pan Am Flight 830 in 1982. The bombing killed a 16-year-old Japanese boy and wounded 15 others. Upon his arrival in the United States, Rashid was arraigned in U.S. District Court, Washington, D.C., on charges of murder, aircraft sabotage, explosive offenses, and conspiracy. Rashid's trial was scheduled to begin in 1999.

**JUNE 4, 1998**

**Sentencing of Terry Lynn Nichols**

On June 4, 1998, Terry Lynn Nichols was sentenced to life in prison for his role in the April 19, 1995 bombing of the Alfred P. Murrah Federal Building in Oklahoma City. Nichols also was sentenced to eight, six-year terms concurrently for his conviction on eight counts of involuntary manslaughter. U.S. District Court Judge Richard Matsch imposed the maximum sentence for the conspiracy and involuntary manslaughter charges of which Nichols was convicted on December 23, 1997. On August 14, 1997, Nichols' co-conspirator, Timothy McVeigh, was sentenced to death by lethal injection for masterminding and carrying out the bombing. On May 27, 1998, Michael Fortier, who had become a witness for the government, received a sentence of 12 years' imprisonment for failing to warn authorities of the impending plot.

## **JULY/NOVEMBER 1998**

### **Conviction and Sentencing of New York Subway Plotters**

In July 1997, officers from the New York City Police Department (NYPD) narrowly averted a bomb attack on the New York Subway system. Officers took two men--Gazi Abu Mezer and Lafi Khalil--into custody after a brief firefight in the subjects' apartment during which both men were wounded as they attempted to reach switches on pipe bombs they were constructing.

Subsequent investigation by the FBI/NYPD Joint Terrorism Task Force resulted in multiple charges being brought against the two subjects. On July 23, 1998, Gazi Abu Mezer was convicted on all counts related to the bombing plot, including conspiracy to use a weapon of mass destruction. Lafi Khalil was convicted of possessing a fraudulent alien registration card, but acquitted on more serious charges. On November 6, 1998, Lafi Khalil was sentenced to three years in federal prison and ordered deported at the conclusion of his incarceration. Sentencing for Abu Mezer was scheduled for early 1999.

## **OCTOBER 16, 1998**

### **National Domestic Preparedness Office Announced**

On October 16, 1998, the Department of Justice and the FBI announced plans to establish the National Domestic Preparedness Office (NDPO). The NDPO was designed to integrate the resources of several U.S. Government agencies, with state and local emergency response and public safety agencies to enhance the ability of communities around the nation to respond to threats and incidents involving weapons of mass destruction.

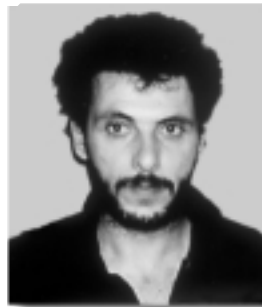
## **NOVEMBER/DECEMBER 1998**

### **Suspects Indicted for Attacks on U.S. Embassies in East Africa**

On November 4, 1998, the U.S. District Court for the Southern District of New York returned indictments for six suspects in the August 7, 1998 bombing attacks on the U.S. embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania. The indictment charged international terrorist Usama Bin Laden, his military commander Muhammad Atef, as well as Wadih El-Hage, Fazul Abdullah Mohammed, Mohammed Sadiq Odeh, and Mohammed Rashed Daoud al-Owhali with various counts related to the embassy bombings.

On December 16, five additional subjects, Mustafa Mohammed Fadhil, Khalfan Khamis Mohamed, Ahmed Khalfan Ghailani, Fahid Mohommed Ally Msalam, and Sheikh Ahmed Salim Swedan, were added to the indictment for their roles in the Dar es Salaam bombing. By the end of 1998, four of the subjects were in custody in the United States. Sadeek Odeh and Rashed Daoud al-Owhali were apprehended overseas within 20 days of the attacks and transported to the United States to stand trial. Wadih El-Hage, a U.S. citizen and a suspected member of Bin Laden's terrorist organization

*Al-Qaeda*, was arrested and charged with perjury and providing false statements to a Special Agent of the FBI. Mamdouh Mahmud Salim was arrested in Germany and extradited to the United States in December. The four subjects are being held in the Southern District of New York pending trial.



● **MOHAMMED SADIQ ODEH**



● **MOHAMMED RASHED DAUD AL-OWHALI**



## RESPONDING TO THE WMD THREAT

Since the March 1995 sarin gas attacks on the Tokyo Subway by the *Aum Shinrikyo* doomsday cult, the United States continues to experience an increasing number of hoaxes involving threatened use of chemical or biological agents. FBI investigations into these hoaxes have revealed that domestic extremists are becoming increasingly interested in the potential misuse of chemical or biological agents, while international terrorists are interested as well, and in fact, as evidenced by the Tokyo Subway incident, have launched attacks overseas using such lethal agents.

Hoaxes involving the threatened release of lethal agents are not life threatening; however, they do cause panic for those potentially exposed and for responding law enforcement and emergency personnel. Additionally, reacting to these hoaxes diverts resources that could be dedicated to addressing true emergencies. However, given the potentially dire consequences of an actual attack involving weapons of mass destruction (WMD), efforts are underway to ensure that the federal, state, and local personnel responsible for mobilizing a response be prepared to address threats, whether they be fabricated or actual attacks.

On October 16, 1998, the U.S. Attorney General and Director of the FBI announced the establishment of the National Domestic Preparedness Office (NDPO). Headed by the FBI, the NDPO is a multi-agency center made up of representatives from various federal agencies, including the Federal Emergency Management Agency,

Department of Health and Human Services, Environmental Protection Agency, Department of Defense, National Guard Bureau, and Department of Energy, as well as state and local law enforcement and emergency response personnel. The NDPO is designed to serve as a central point of contact for agencies around the United States concerning WMD issues. In this capacity, it will provide up-to-date WMD-related information and coordinate congressionally mandated WMD training initiatives. Recent trends reinforce the need for comprehensive and coordinated preparedness activities to address the threat of WMD attacks.

### *Rising Levels of WMD Threats*

WMD cases--primarily those dealing with attempted procurement or threatened use of chemical, biological, and nuclear/radiological materials--have increased steadily since 1995, rising from 37 in 1996 to 74 in 1997, to 181 in 1998. Threatened release of biological agents, such as anthrax or Bubonic plague, has become the most prevalent component of this disturbing trend. Threatened use of

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biological agents accounted for more than half of the WMD cases in 1998. By mid-1998, anthrax--also known as *Bacillus Anthracis*--had emerged as the agent of choice in WMD hoaxes.

Anthrax spores are found naturally in diseased sheep and cattle and can also exist in other organic materials, including soil. This bacterial pathogen may be grown and exploited for illicit purposes. Anthrax spores can be spread in weaponized form in tiny, odorless clouds of gas that can be ingested through the nose and into the respiratory system. The spores are harmful only if inhaled, ingested, or when introduced into an open wound or the eyes.

Anthrax-related threats can have significant ramifications for targeted communities. As demonstrated by recent hoaxes, a fabricated WMD threat may be as effective as an actual attack in achieving the desired terrorist objectives of creating public fear, mass panic, and disruption:

- In April 1997, a suspicious package was sent to the Washington, D.C., headquarters of *B'nai B'rith*--a Jewish social service organization. Investigators found a shattered petri dish inside labeled with a misspelled variation of the word "anthrax" and "yersina," the bacterium that causes Bubonic plague. Although the substance contained in the petri dish was ultimately determined to be harmless, the emergency response resulted in crippling traffic problems in the Scotts Circle area of the nation's capital and necessitated that workers in the building be temporarily quarantined while the package was transported and analyzed.

- In August 1998, a threat was received at the Finney State Office Building in Wichita, Kansas, resulting in the evacuation of a large number of government workers from the building. Because of concerns that some of the workers had come into contact with a biological substance, the FBI's



● ANTHRAX CELLS

Hazardous Materials Response Unit (HMRU) was deployed to the scene. Analysis revealed no biological agent present at the scene or in the collected evidence. Although interagency coordination resulted in a well-executed response, the incident still gained extensive media coverage, due in large part to copies of the threat letter that were mailed to newspapers and radio stations. The publicity generated by this hoax is suspected to have contributed significantly to a rash of copycat threats received around the country in the months following the incident.

- In late December 1998, nearly two dozen anthrax threats were reported in greater Los Angeles, California. The threats--transmitted by telephone or mail--were ultimately determined to be fabricated. As a result of these threats, however, a large number of people were temporarily quarantined at Los Angeles area social, educational, and business sites, including a nightclub, a department store, an office building, a courthouse, and a high school. Arrests have been made in two of these threat cases. Some of the perpetrators were found to be pranksters or those wishing to avoid legal responsibilities. Since the arrests, the rate of anthrax threats in the Los Angeles area has diminished dramatically.

## Close Calls

Since the early 1990s, the FBI has investigated a number of domestic extremist groups and associated individuals, as well as lone, unaffiliated individuals interested in procuring, or ready to employ, chemical or biological agents against perceived enemies or innocent civilians.

- In April 1991, Leroy Charles Wheeler, Douglas Allen Baker, Richard John Oelrich, and Dennis Brett Henderson--members of the Minnesota-based Patriots Council (a small

antigovernment, tax protest group)--planned to kill a Deputy U.S. Marshal and a sheriff who had previously served court papers on the Council. The small group manufactured *ricin*--a plant toxin derived from castor beans--to use as a weapon. The FBI prevented this domestic terrorist act from occurring. In 1995, the four men were convicted of violating the Biological Weapons Anti-Terrorism Act of 1989.

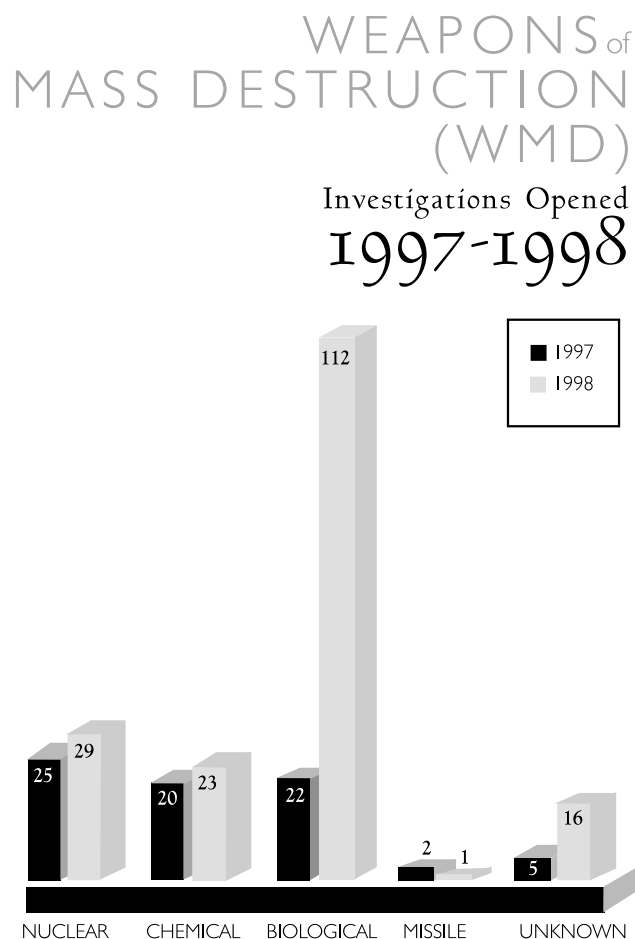
- In October 1998, Johnie Wise and Jack Abbott Grebe, Jr.--members of the Republic of Texas (ROT)--were convicted of two counts of sending threatening e-mail messages to government agencies. The ROT members had planned to infect targeted individuals with biological toxins.

International terrorists also have demonstrated an interest in chemical and biological materials. In fact, press reporting indicates that approximately a dozen international groups, all sharing anti-U.S. sentiment and some with a history of kidnapping and killing U.S. persons abroad, are attempting to use or procure these lethal materials for future attacks. Although there are currently no indications that international terrorists have plans to use these lethal materials in the United States, past attacks and plots--such as the bombing of the World Trade Center and the thwarted attempt by followers of Shaykh Omar Abdel Rahman to bomb various landmarks in New York--indicate an interest in causing mass civilian casualties. According to court testimony, Ramzi Ahmed Yousef--the convicted mastermind behind the World Trade Center bombing and a self-taught chemist--originally considered carrying out a cyanide gas attack against the complex. Cyanide was confiscated at the site where the bomb was assembled, but there is no indication that cyanide was contained in the bomb that was ultimately used in the attack on the building.

## The Future

Currently, many chemicals and biological pathogens and toxins that are suitable for weaponization are not subject to export and treaty controls because they have legitimate commercial applications. Several terrorist attacks carried out during the past

five years were facilitated by the commercial availability of these same materials. Timothy McVeigh, for example, procured ammonium nitrate for the bomb used in the Oklahoma City bombing at feed stores in the Midwest. There are also indications that international terrorists are procuring large volumes of cyanide and arsenic in commercial centers worldwide. Additionally, investigation has revealed that some domestic extremists are trained in the advanced sciences, while some international terrorists are simply procuring scientific expertise to meet their demands. In short, terrorist capabilities to produce exotic chemical and biological agents for their attacks currently exists, or is advanced enough to present a threat. However, this threat is still considered low in comparison to the threat from conventional terrorist tactics, such as bombings, shootings, and kidnappings, which remain the preferred method to carry out attacks.



# EXTRATERRITORIAL INVESTIGATIONS

In 1998, the FBI continued to successfully assert extraterritorial jurisdiction in cases involving criminal acts of terrorism. Extraterritorial jurisdiction is the principle that allows the FBI to expand its investigative authority outside U.S. borders and deploy FBI personnel to work in conjunction with host government law enforcement agencies in order to effect timely arrests and prosecutions. The application of enforcement jurisdiction over terrorist incidents occurring anywhere in the world continues to be one of the strongest methods the U.S. Government has for responding to terrorism directed at U.S. interests abroad.

The so-called “long arm” legislation that allows the FBI to effectively respond to acts occurring outside the United States is embodied in several U.S. statutes. The most important of these statutes resulted from the cooperative efforts of the Executive Branch and the U.S. Congress over the last two decades. Historically, the U.S. Government exercised jurisdiction over individuals only when they were discovered on U.S. territory. Reacting to terrorist attacks against U.S. nationals abroad in the 1980s, and subsequent concerns that those responsible for the attacks would escape justice by fleeing to countries ideologically opposed to the United States and with whom we did not have extradition treaties, Congress

enacted three landmark pieces of legislation.

The first was the Comprehensive Crime Control Act of 1984. Two years later, the Omnibus Diplomatic Security and Antiterrorist Act of 1986 was signed into law. These two pieces of legislation effectively expanded the federal jurisdiction of the United States to terrorist crimes, including hostage taking, homicide, conspiracy to commit homicide, or physical violence committed against a U.S. national or interest occurring anywhere in the world.

The third major piece of legislation to be enacted was the Antiterrorism and Effective Death Penalty Act of 1996. This act created additional methods for combating the specific problem of international terrorist

infrastructures which have developed during the past decade. Specifically, the act grants the authority to designate foreign terrorist organizations, prohibits the providing of material support or resources to a foreign terrorist organization, and makes it a federal crime to participate in certain international terrorism activities.



● DAR ES SALAAM, TANZANIA

Acting under the authority of these laws and Presidential Decision Directive 39, the FBI exercises jurisdiction over extraterritorial terrorist acts when a U.S. national is a victim or perpetrator of the offense, the U.S. Government is the victim of the offense, or the perpetrator is later found in the United States. Since the mid-1980s, the FBI has investigated more than 350 extraterritorial cases. Prior to conducting terrorism investigations outside U.S. borders, the FBI secures permission from the host country and coordinates the investigation with the U.S. Department of State.

More than 900 FBI Special Agents were sent overseas following the August 7, 1998 bombings of the U.S. embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, which resulted in the deaths of 12 Americans. This represented the largest overseas deployment in FBI history.

The results achieved from the on-site presence of FBI Special Agents were immediate. Mohammed Rashed Daoud Al-Owhali and Mohammed Sadiq Odeh were arrested in Kenya on August 27 and 28, 1998, respectively, and surrendered by Kenyan authorities to the United States to face charges arising from the embassy bombings. On September 17, 1998, Mamdouh Mahmud Salim was arrested in Germany and was later extradited to the United States to face similar charges arising from the twin bombings. This investigation further reinforced the belief that the cornerstone of successful international terrorism investigations is the ability to deploy federal law enforcement agents to the crime scene within hours of the incident.

As the above examples demonstrate, extraterritorial jurisdiction also allows terrorist suspects to be indicted and tried in the United States for violation of federal statutes outlawing terrorist acts. In the 1990s, several high-profile international terrorists, including Ramzi Ahmed Yousef, Shaykh Omar Abdel Rahman, Omar Mohammad Ali Rezaq, and Tsutomu Shirotsuki, were tried and convicted in the United States for acts of terrorism. The

trend continued in 1998 when on June 3 Mohammed Rashid was arrested overseas and brought to the United States to stand trial for the August 11, 1982 bombing of Pan Am Flight 830. The bombing resulted in the death of a Japanese youth and injury to several other passengers.

The evolution of judicial and enforcement jurisdiction over the last two decades has effectively empowered the FBI to respond to terrorist attacks targeting U.S. nationals and interests outside the United States. Terrorism is a global phenomenon, and as such, the FBI is prepared to respond to terrorist acts on a global scale. Since extraterritorial authority was extended to the FBI in the mid-1980s, the FBI has demonstrated that the ability to conduct on-site criminal investigations wherever terrorist strikes occur greatly enhances the likelihood that those responsible will be brought to justice.



● NAIROBI, KENYA

# PROTECTING CRITICAL NATIONAL INFRASTRUCTURES

Revolutionary advances in our nation's computer software, hardware, and other information technologies have dramatically improved the capabilities and efficiency of these systems. At the same time, the rapid proliferation and integration of telecommunications and computer systems have connected the country's infrastructures to one another in a complex information network. While these changes have stimulated the growth of U.S. infrastructures, they also have made them increasingly interdependent and vulnerable to a new range of threats. Whether from foreign governments or transnational terrorists, in the twenty-first century the United States faces new types of terrorist threats to our national infrastructures.

To meet this challenge, in May 1998, President Clinton signed Presidential Decision Directive 63, formally establishing the National Infrastructure Protection Center (NIPC). The NIPC functions as an interagency warning and response center located at FBI Headquarters in Washington, D.C. Its mission is to deter, detect, and respond to unlawful acts involving computer and information technologies and other threats to critical U.S. infrastructures. The critical infrastructures--such as electric power, telecommunications, banking and finance, gas and oil, and transportation--are those which provide services so vital that their incapacity or destruction would have a debilitating impact on the defense or economic security of the United States.

While the threat of conventional, physical attacks on our critical infrastructures has always been a source of concern, electronic, information-based attacks constitute a relatively new and growing threat. Adversaries may use a number of software

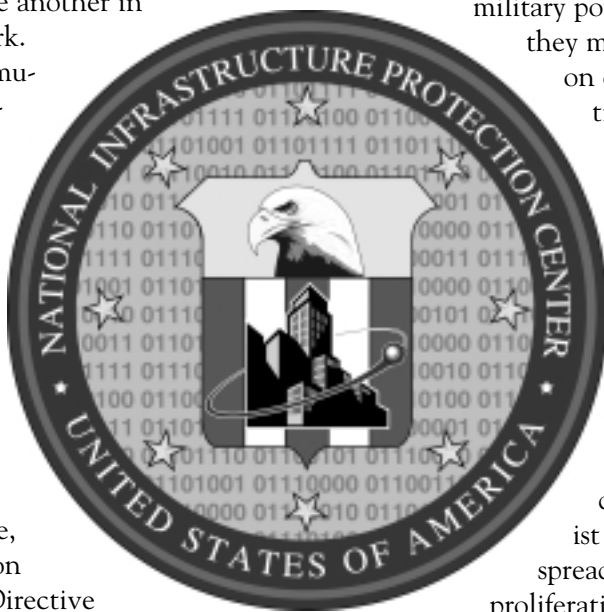
and hardware tools to launch such attacks. Software weapons include computer viruses, Trojan horses, and logic bombs. Advanced electronic hardware weapons include high-energy radio frequency (RF) weapons, electronic pulse weapons, and RF jamming equipment. Either set of tools (software or electronic hardware) can be used to degrade or destroy property and data, thereby denying crucial services to users of information systems.

Some foreign nations now include information warfare in their military planning and doctrine.

To compensate for the United States' advantage in military power, certain nations believe

they must focus their military efforts on offensive information operations--and they consider privately owned critical infrastructures to be the best targets. Even if a nation does not use such methods openly, the cyber tools and methods it develops may find their way into the hands of terrorists, with or without direct state involvement. While there is no evidence of state sponsored terrorist cyber attacks to date, the spread of cyber attack tools, like the proliferation of conventional weapons technology, may be unavoidable.

Terrorists are known to use information technology and the Internet to formulate plans, raise funds, spread propaganda, and communicate securely. For example, convicted terrorist Ramzi Yousef, the mastermind of the World Trade Center bombing, stored detailed plans to bomb U.S. commercial airliners in encrypted files on his laptop computer. Some groups have used cyber attacks to inflict damage on their enemies' information systems. A group calling itself the "Black Tigers" conducted a successful "denial of service" attack on computer servers of Sri Lankan embassies. Italian sympathizers of the Mexican *Zapatista* rebels attacked the web pages of Mexican financial institutions. These examples illustrate the increasing ability and willingness of terrorists to use cyber tools and methods to plan and carry out attacks against government and civilian targets.



Fortunately, no nation or terrorist has yet launched a cyber attack serious enough to cause a national crisis. Nevertheless, U.S. dependence on information systems is increasing. As the means to exploit these dependencies become more widely available, and as the costs of carrying out an infrastructure attack decrease, the probability of a serious infrastructure attack increases.

The U.S. Government and the private sector need to prepare for possible infrastructure attacks preemptively by developing new institutional alliances, more robust security doctrines, and cutting-edge prevention and response capabilities. Together with its government and private sector partners, the NIPC is forging the analytical, information-sharing, investigative, and warning capabilities necessary to confront the terrorist threats of the twenty-first century.

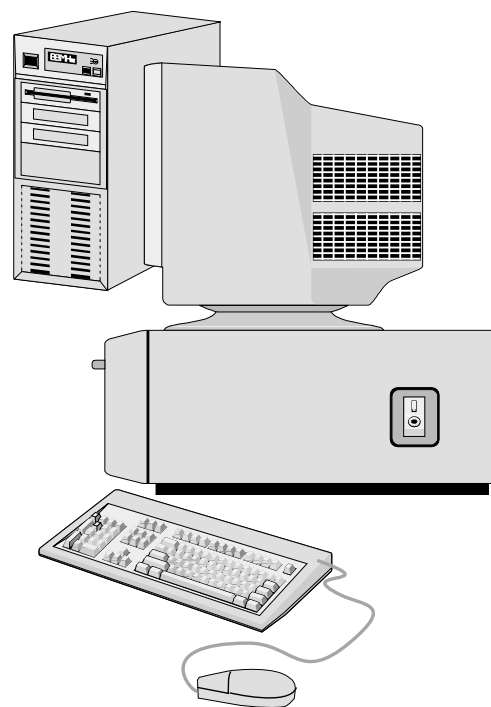
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## COMPUTER-BASED ATTACKS: BASIC TERMS

**TROJAN HORSE** — *A computer program with an apparently or actually useful function that contains hidden functions that surreptitiously exploit the legitimate authorizations of the invoking process to the detriment of security or system integrity.*

**VIRUS** — *A program that searches out other programs and “infects” them by embedding a copy of itself in them, effectively creating Trojan horses. When infected programs are executed, the embedded virus is executed as well, thus propagating itself. This process normally is invisible to the user and generally cannot infect other computers without “assistance,” such as an independent command to trade programs from one computer to another.*

**LOGIC BOMB** — *Code surreptitiously inserted into an application or operating system that causes destructive or security-compromising activity whenever specified conditions are met. (For example, a logic bomb may be set to execute at a certain date or time.)*



# SAFEGUARDING U.S. MILITARY POSTS

It has always been the policy of the U.S. Government to protect military personnel, their families, government facilities, and other resources, whether overseas or in the United States. A growing number of short- and long-term peace-keeping and humanitarian missions--as well as several deadly attacks on U.S. military installations in the 1980s and 1990s--has increased the focus on force protection issues as the Department of Defense (DoD) has sought ways to minimize the susceptibility of the U.S. military to terrorist attacks.

Force protection is defined as "the security program designed to protect soldiers, civilian employees, family members, facilities, and equipment in all locations and situations, accomplished through planned and integrated application of antiterrorism and counterterrorism, physical security, operations security, and personal protective services, supported by intelligence, counterintelligence, and other security programs." During the 1990s the FBI has expanded its liaison with DoD to further enhance the antiterrorism and counterterrorism components of the force protection effort.

Overseas, FBI Legal Attaches (LEGATs) establish and maintain liaison with principal law enforcement and security services in designated foreign countries. FBI Special Agents work with law enforcement officials from these host nations to address terrorism and other international crimes, including the issue of force protection. LEGATs develop close cooperation with their defense counterparts and are often the first point of contact for military commanders overseas in the event of a terrorist incident. The bombings of the Office of Program Management-Saudi Arabian National Guard (OPM-SANG), which killed 5 Americans, and Khobar Towers in Dhahran, Saudi Arabia, which killed 19 U.S. airmen and wounded approximately 240 U.S. service members, underlined the need for close cooperation among various agencies.

Information sharing between the FBI and the military also has been enhanced through FBI liaison with the Defense Intelligence Agency (DIA) and other DoD components. This cooperation helps ensure that appropriate information is disseminated

to a wide range of recipients, including military commands, in the United States and around the world. Cooperation has grown significantly during the past several years, strengthened through the cross-dissemination of threat warnings and joint exchanges, as well as FBI participation in threat scenario exercises and briefings to senior military commanders.

Domestically, force protection includes cooperation between the military and federal, state, and local law enforcement agencies to the extent allowed by applicable law. FBI field offices have established liaison with Provost Marshals on military bases within their areas of responsibility. Liaison between local military commands and FBI field offices enhances cooperative relationships and investigative coordination prior to any potential incidents and promotes a clear understanding of responsibility should a terrorist incident occur.

## *Targeting of Bases in the United States*

Some extremist right-wing elements in the United States believe that the United Nations (U.N.) is secretly plotting to undermine the authority of the U.S. Constitution as part of its ultimate objective of creating a "one-world government." Many of these extremists also believe that U.S. military installations are currently being used as training facilities for U.N. forces preparing to take over the United States as part of this New World Order. (Much of the rhetoric espoused by right-wing extremists holds that while U.S. troops operating under the U.N. banner would be involved in the overthrow of legitimate governments in other countries, foreign troops--also operating under the auspices of the U.N.--would be used to subdue the United States because these troops would be less inhibited by the specter of firing upon U.S. citizens than would U.S. military personnel.)

In July 1997, the FBI and state and local authorities in Texas, Colorado, and Kansas thwarted an attack on Fort Hood, Texas, being planned by right-wing extremists who apparently held such beliefs. In June 1997, undercover officers advised the FBI that Bradley Glover, a self-proclaimed militia Brigadier General, was allegedly holding meetings where he discussed the imminent threat of a U.N. invasion of the United States, the possibility of going



to war with the federal government, and the need to purchase land to establish a new government.

Glover also discussed targeting "law enforcement towers" in Kansas, detonating explosives at airports to prevent task force landings, and developing plans to steal military equipment and weapons from military armories.

Glover and several associates anticipated an "engagement" with U.N. troops which they believed were stationed at Fort Hood. The FBI advised the DoD of the planned assault, and on July 4, 1997, FBI Special Agents and officers from the Texas Department of Public Safety arrested Glover and co-conspirator Michael Dorsett approximately 40 miles southwest of Fort Hood. Warranted searches of Glover's truck and Dorsett's home revealed explosive devices, explosive components, a homemade firearm silencer, assault rifles, pistols, chemicals, ammunition, body armor, camouflage clothing, and a copy of the *Militia Soldiers Operations Handbook*. Additional co-conspirators were arrested during the next several days.

While left-wing and special interest extremists, such as members of the Plowshares and *Los Macheteros*, had perpetrated attacks on DoD facilities in the United States and Puerto Rico throughout the 1970s and 1980s, this incident marked the first time that domestic right-wing extremists attempted to carry out an attack against a U.S. military installation in the United States. As millennial-oriented concerns regarding a U.N. takeover of the United States intensify among some elements of the right-wing extremist movement, there are indications that similar targeting may occur.

## *Protecting Liberties, Safeguarding Bases*

The Posse Comitatus Act, Section 1385 of Title 18, U.S.C. (originally enacted in 1878, during the Reconstruction Era), prohibits the Army and Air Force (DoD regulations now restrict the activities of all branches of the armed services under this Act) from being used as a "posse comitatus" or otherwise to execute the laws entrusted to civilian law enforcement authorities. Judicial authorities have interpreted the Act to prohibit *direct* participation by the military in law enforcement activities. However, the Act was never intended to prevent the use of military personnel in a "passive" law enforcement role. Congress attempted to clarify this intent by enacting Chapter 18 of Title 10 of the U.S.C., which expressly authorizes the military to provide civilian law enforcement agencies with intelligence, facilities, training, equipment, and, under certain conditions, assistance in operating and maintaining that equipment. For example, Section 382 of Title 10 permits the military to provide equipment, facilities and personnel in support of Department of Justice activities relating to the enforcement of laws during an emergency situation involving biological and chemical weapons of mass destruction. Section 375 of Title 10 requires the Secretary of Defense to prescribe such regulations as may be necessary to ensure that any activity (including the provision of equipment or facility or the assignment or detail of personnel) under Chapter 18 does not include or permit direct participation by a member of the Army, Navy, Air Force, or Marine Corps in a search, seizure, arrest, or other similar activity *unless* participation in such activity by such member is otherwise authorized by law. Pursuant to this mandate, DoD has published regulations incorporating the above congressional intent and providing specific guidance for all branches of the armed services. As noted in Section 375, under limited circumstances, the military may be authorized by law to engage in direct participation with law enforcement. For example, Section 831 of Title 18 permits DoD to assist the Department of Justice in enforcing Section 831 (prohibits transactions involving nuclear materials). This assistance may include the use of DoD personnel to arrest persons and conduct searches and seizures with

respect to violations of the section and such other activity as is incidental to the enforcement of the section, or to the protection of persons or property from conduct that violates the section.

Notwithstanding the above restrictions, limitations and conditions on the use of the military to enforce or execute laws entrusted to civilian authorities, certain law enforcement related actions by the military are not restricted by the Posse Comitatus Act, even if not addressed specifically by Title 10 or Title 18 authorities. These are actions undertaken for the primary purpose of furthering a military or foreign affairs function of the United States, regardless of incidental benefits to civilian authorities. For example, investigations and other actions related to enforcement of the Uniform Code of Military Justice; investigations and other actions related to a commander's inherent authority to maintain law and order on a military installation or facility; the protection of classified military information or equipment; the protection of DoD personnel or equipment, and official guests of the Department of Defense; and such other actions that are undertaken primarily to further a military or foreign affairs's function of the United States do not violate the Act.

The critical issue of force protection receives constant attention at the highest levels of government. The Chairman of the Joint Chiefs of Staff serves as the principal advisor responsible to the Secretary of Defense for all DoD force protection issues. The National Security Council also addresses issues pertaining to force protection, worldwide. The DIA operates a 24-hour terrorism Intelligence and Warning Watch which provides prompt dissemination of terrorist threats to U.S. military assets. As part of this concerted effort to protect those who serve our country, the FBI will continue its commitment to strengthening our government's force protection capabilities, concentrating on specific issues and appropriate responses.



● KHOBAR TOWERS

The nearly simultaneous bombings of the U.S. embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, on August 7, 1998, vividly underscored the continuing threats to U.S. interests around the world. However, examples of terrorist violence were also all-too-evident in the United States during 1998. For the fourth consecutive year, terrorists carried out destructive attacks in the United States. Combined, attacks in 1998 resulted in one death and two serious injuries.

The United States continued to take a strong stand against terrorism, as well, in 1998. Ramzi Yousef--the international rogue terrorist who masterminded the World Trade Center bombing and envisioned the deaths of thousands of innocent Americans in his foiled plot to down 12 U.S. commercial aircraft--was sentenced to consecutive sentences of 240 years and life in prison for the World Trade Center bombing and airliner conspiracy. Several of Yousef's accomplices also received lengthy prison sentences in 1998. Another international terrorist, Mohammed Rashid, was rendered to the United States from overseas to stand trial for an 1982 attack on a U.S. commercial aircraft. In addition, by year's end, four suspects in the twin U.S. embassy bombings in East Africa were also in U.S. custody, awaiting trial.

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## CONCLUSION

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The FBI, working closely with other law enforcement agencies, also succeeded in preventing 12 planned acts of terrorism from taking place in the United States. All of these plots

were being planned by domestic extremists.

The suspect in one of the five terrorist incidents to occur in the United States during the year--the January 29 bombing of a women's clinic in Birmingham, Alabama--became the 454th person to be placed on the FBI's Top Ten Most Wanted Fugitives list in May. In addition to the Birmingham bombing, Eric Robert Rudolph was also charged with the pipe bomb attack at the 1996 Atlanta Summer Olympics and two additional bombings in the Atlanta area that occurred during 1997. By year's end, a multi-agency task force continued to search for Rudolph in the remote mountains of western North Carolina.

In 1998, the U.S. Government also continued to enhance the nation's counterterrorism capabilities. The establishment of the National Infrastructure Protection Center (NIPC) in February and the National Domestic Preparedness Office (NDPO) in October greatly improves the ability of the intelligence and law enforcement communities to prevent and respond to attacks on our nation's critical infrastructure and threats from weapons of mass destruction, respectively. Led by the FBI, but comprised of personnel from multiple agencies and disciplines, the NIPC and NDPO reflect the cooperation and combined sense of mission that has become a hallmark of our country's counterterrorism efforts.

The continued targeting of innocent victims, as well as U.S. Government and commercial interests, both in the United States and abroad, requires such a concerted response.

# CHRONOLOGICAL SUMMARY OF INCIDENTS IN THE UNITED STATES 1990-1998

DATE	LOCATION	INCIDENT TYPE	GROUP
1-12-90	Santurce, P.R.	Pipe Bombing	<i>Brigada Internacionalista Eugenio Maria de Hostos de las Fuerzas Revolucionarias Pedro Albizu Campos (Eugenio Maria de Hostos International Brigade of the Pedro Albizu Campos Revolutionary Forces)</i>
1-12-90	Carolina, P.R.	Pipe Bombing	<i>Brigada Internacionalista Eugenio Maria de Hostos de las Fuerzas Revolucionarias Pedro Albizu Campos (Eugenio Maria de Hostos International Brigade of the Pedro Albizu Campos Revolutionary Forces)</i>
2-22-90	Los Angeles, Calif	Bombing	Up the IRS, Inc.
4-22-90	Santa Cruz County, Calif.	Malicious Destruction of Property	Earth Night Action Group
5-27-90	Mayaguez, P.R.	Arson	Unknown Puerto Rican Group
9-17-90	Arecibo, P.R.	Bombing	Pedro Albizu Group Revolutionary Forces
9-17-90	Vega Baja, P.R.	Bombing	Pedro Albizu Group Revolutionary Forces
2-3-91	Mayaguez, P.R.	Arson	Popular Liberation Army (PLA)
2-18-91	Sabana Grande, P.R.	Arson	Popular Liberation Army (PLA)
3-17-91	Carolina, P.R.	Arson	Unknown Puerto Rican Group
4-1-91	Fresno, Calif.	Bombing	Popular Liberation Army (PLA)
7-6-91	Punta Borinquen P.R.	Bombing	Popular Liberation Army (PLA)
4-5-92	New York, N.Y.	Hostile Takeover	<i>Mujahedin-E-Khalq (MEK)</i>
11-19-92	Urbana, Ill.	Attempted Firebombing	Mexican Revolutionary Movement
12-10-92	Chicago, Ill.	Car Fire and Attempted Firebombing	Boricua Revolutionary Front (two incidents)
2-26-93	New York, N.Y.	Car Bombing	International Radical Terrorists
7-20-93	Tacoma, Wash.	Pipe Bombing	American Front Skinheads

# CHRONOLOGICAL SUMMARY OF INCIDENTS IN THE UNITED STATES 1990-1998

DATE	LOCATION	INCIDENT TYPE	GROUP
7-22-93	Tacoma, Wash.	Bombing	American Front Skinheads
11-27/28/93	Chicago, Ill.	Firebombing	Animal Liberation Front (nine incidents)
THERE WERE NO INCIDENTS OF TERRORISM IN 1994			
4-19-95	Oklahoma City, Okla.	Truck Bombing	Timothy McVeigh, Terry Nichols, Michael Fortier convicted
4-1-96	Spokane, Wash.	Pipe Bombing/Bank Robbery	Phineas Priesthood
7-12-96	Spokane, Wash.	Pipe Bombing/Bank Robbery	Phineas Priesthood
7-27-96	Atlanta, Ga.	Pipe Bombing	Pending Investigation
1-2-97	Washington, D.C.	Letter Bomb (Counted as one incident)	Pending Investigation No claim of responsibility
1-2-97	Leavenworth, Kans.	Letter Bomb (Counted as one incident)	Pending Investigation No claim of responsibility
1-29-98	Birmingham, Ala.	Bombing of reproductive services	Pending Investigation. Eric Robert Rudolph charged with the bombing on February 14, 1998
3-31-98	Arecibo, P.R.	Bombing of superaqueduct construction project	Pending Investigation. Claim of responsibility issued by <i>Los Macheteros</i>
6-9-98	Rio Piedras, P.R.	Bombing of bank branch office	Pending Investigation. Claim of responsibility issued by <i>Los Macheteros</i>
6-25-98	Santa Isabel, P.R.	Bombing of bank branch office	Pending Investigation. <i>Los Macheteros</i> suspected
10-19-98	Vail, Colo.	Arson fire at ski resort	Pending Investigation. Claim of responsibility issued by Earth Liberation Front